

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BOARDS OF TRUSTEES OF OHIO  
LABORERS' FRINGE BENEFIT  
PROGRAMS,

Plaintiff,

v.

ALEK J. ALLEN EQUIPMENT, CO.,

Defendant.

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Case No. 2:15-CV-3075

JUDGE ALGENON L. MARBLEY

Magistrate Judge Kemp

**ORDER**

Before the Court are Plaintiff's January 8, 2016 Motion for Default Judgment against Defendant Alek J. Allen Equipment Company (Doc. 6), and the Magistrate Judge's Report and Recommendation that the aforementioned motion be granted (Doc. 7).

The Report and Recommendation specifically advised parties "that failure to object to the Report and Recommendation will result in a waiver" of this Court's *de novo* review of said Report and Recommendation. (Doc. 7 at 7.)

The Court hereby **ADOPTS** the Report and Recommendation based on the independent consideration of the analysis therein. Accordingly, the Court **GRANTS** Plaintiff's Motion for Default Judgment against Alek J. Allen Equipment Company amounting to \$24,025.80 in fringe benefit contributions, liquidated damages, and interest, and \$1,785.00 in attorneys' fees, plus interest from the date of judgment at the rate of 1% per month. In addition, the Court **ORDERS** Defendant pay \$400.00 in Court costs. This case is **DISMISSED**.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
ALGENON L. MARBLEY  
UNITED STATES DISTRICT COURT

**Dated: April 28, 2016**